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Attorneys for Plaintiff


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X)	
JANE A. HALBRITTER,)	
)	
Plaintiff,)	07 Civ. 3848 (WHP)
)	
-- against --)	NOTICE OF MOTION
)	TO DISMISS
STONEHEDGE ACQUISITION ROME II, LLC)	COUNTERCLAIMS
and STONEHEDGE ACQUISITION)	
CHITTENANGO II, LLC,)	
)	
Defendants.)	
-----X)	

Please take notice that, pursuant to Fed. R. Civ. P. 12(b)(6) and the Order of this Court dated December 7, 2007, upon the accompanying memorandum of law, the Complaint and Exhibits thereto, the Answer with Counterclaims and upon all other pleadings and proceedings heretofore had herein, plaintiff will move this Court, at Room 11D, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007 on February 15, 2008, or as soon thereafter as counsel may be heard, for an order dismissing defendants' counterclaims.

Please take further notice that answering papers, if any, must be served on the undersigned on or before January 18, 2008.

Dated: January 4, 2008



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AFFIDAVIT OF SERVICE


07 Civ. 3848 (WHP)

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Collins V. Burgess-Jackman, being duly sworn, deposes and says:

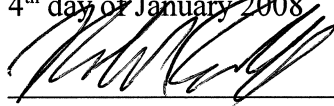
I am not a party to this action, am over the age of eighteen (18) years, and reside at 97-04 Brisbin Street, Jamaica, New York 11435. On the 4th day of January 2008, I served by hand a true and correct copy of the foregoing (1) Notice of Motion to Dismiss Counterclaims, and (2) Plaintiff's Memorandum of Law in Support of Her Motion to Dismiss the Counterclaims, upon the following:

Robert L. Rimberg, Esq.
Goldberg Rimberg & Friedlander, PLLC
115 Broadway, 3rd Floor
New York, New York 10006



Collins V. Burgess-Jackman

Sworn to before me this
4th day of January 2008



Notary Public

RONALD BUSLOFF
Notary Public, State of New York
No. 02BU6052105
Qualified in New York County
Commission Expires December 11, 2010